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November 21, 2002

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**VIA COURIER**

Marlene H. Dortcli  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

**Re: Ex Parte Presentations In CS Docket No. 95-184 and MM Docket No. 92-260**

Dear Ms. Dortch:

The following is notice pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, that on November 21, 2002, on behalf of Charter Communications, T. Scott Thompson of Cole, Raywid & Braverman, LLP, and Marvin Rappaport of Charter Communications met with Bill Johnson, Deputy Bureau Chief, John Norton, Deputy Chief Policy Division, and Mary Beth Murphy, Chief Policy Division, all of the Media Bureau, to discuss issues pending as a result of petitions for reconsideration and the Commission's Further Notice in the above referenced dockets.

During the meetings, Charter's representatives generally restated the positions set forth in Charter's comments in the Dockets and responded to questions. Specifically, they reiterated Charter's belief that the Commission should not adopt any limitation on exclusive agreements between residential MDU owners and operators, that the Commission should not adopt regulations permitting MDU owners a "fresh look" to renegotiate perpetual exclusive agreements, and that the Commission, in order to avoid constitutional takings issues and distortion of the marketplace must continue to permit cable operators the option of removing their home run wires and facilities in the event of termination by an MDU owner. Charter's representatives also expressed Charter's belief that competition in the residential MDU context has been robust since the adoption of the Commission's rules in 1997, and that competition continues to grow. Finally, they expressed Charter's belief that the Commission exceeded its statutory authority in the current rules, and reminded the Commission that an appeal of the

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Commission's rules has been pending in the Eighth Circuit while the Commission addresses the issues on reconsideration and in the Further Notice.

If there are any questions regarding the above-described meetings, please contact the undersigned counsel for Charter.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Scott Thompson". The signature is fluid and cursive, with a large initial "T" and "S".

T. Scott Thompson